

Next point—and last point. At this point, the next finding ought to be no surprise from the inspector general. The Office of Net Assessment did not administer contracts in accordance with the Federal Defense Department and Washington Headquarters Services internal regulations and policies.

Further, the audit states the “[Office of Net Assessment] acquisition personnel cannot verify whether they received services, valued at \$4.1 million, in accordance with the statement of work.”

Now, let's return back to that first quote I gave you from the Director of Net Assessment.

We review all deliverables to ensure [that] they're consistent with the statement of work. We evaluate each deliverable to assess whether we should seek additional information or require a resubmission of commissioned work.

Based upon all of the available evidence from these 20 contracts that were inspected by the inspector general—and that is not all the contracts that the office negotiated—this Director's statement is absolutely false.

So here is the bottom line: The Office of Net Assessment has no clue what they are paying for and whether they even received a complete work product. And whatever they are actually doing, it is not in compliance with Federal regulations, policy, and law.

This is a complete embarrassment and a slap in the face of American taxpayers. While the Office of Net Assessment wasted millions of dollars in taxpayer money every year, the communist Chinese Government developed hypersonic missiles that can travel the globe.

If this unit isn't doing the job that they are supposed to, to assess our national security capabilities and the capabilities of our enemies, why are we still funding it? It would be better to take the \$20 million budget and give it to our servicemembers. At least we know that those servicemembers have earned it.

A government slush fund will always be a government slush fund unless Congress, with our power of oversight and appropriations, steps up and fixes the problem. So I encourage my colleagues, especially those on the Senate Armed Services Committee, to take a stand against this blatant waste, fraud, abuse, and gross mismanagement.

#### FREE SPEECH

Mr. GRASSLEY. Madam President, on another subject, I have come to this floor several times in recent months—maybe over the course of a couple of years—on my concerns about free speech on campus. There has been a lot said in opposition to reports of crack-down on speech on campuses, but today I come to the floor to give one shining example of a university upholding expressions of free speech and making it still happen.

This all started with former University of Chicago President Robert Zim-

mer. The institution, starting with him and continuing, has consistently pushed back on the trends of safe spaces, trigger warnings, and the cancellation of invited speakers.

Instead, in a letter to all incoming freshmen, the University of Chicago lays out its philosophy in plain English. In the letter to the 2020 freshman class, it said that one of the university's “defining characteristics is our commitment to freedom of inquiry and expression.”

Now, this is more than just words; the university has consistently followed through on this policy. Even today, the university is still open to dissenting points of view. It even goes so far as to tell freshmen “at times this may challenge you and even cause discomfort.”

They are absolutely right. The point of college is not to be coddled. The point of college or university is to learn. How can students do that if they don't step out of their comfort zone?

I often say that my definition of a university is a place where controversy should run rampant. At the University of Chicago, that means noting that “diversity of opinion and background is a fundamental strength of our community.”

Both opinion and background are very important, and it defeats the point to just have the one. Our universities cannot just have just a veneer of diversity; the whole point of bringing in students of different backgrounds is to get different points of view. That aim is meaningless if all students who go to the college believe the same things.

I have introduced several bills to provide transparency for prospective students. My bills focus on transparency of cost, but in many ways openness about a university's values are just as important.

So I congratulate former President Zimmer, who is doing just that and putting his university's values on his sleeve. If some schools keep cracking down on free speech and invited speakers, then the free market will send their students elsewhere. That is because I don't think all kids want to go to a school where they will never be challenged and where their ideals will always be reaffirmed.

I am happy to see projects like the University of Austin, a newly founded college dedicated to free speech principles.

So, in conclusion, it takes time to start new institutions. Instead, we need people to stand up in the colleges that we already have. And I hope others will join me in doing just that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 498.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Douglas R. Bush, of Virginia, to be an Assistant Secretary of the Army.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 498, Douglas R. Bush, of Virginia, to be an Assistant Secretary of the Army.

Charles E. Schumer, Jack Reed, Sheldon Whitehouse, Richard Blumenthal, Catherine Cortez Masto, Richard J. Durbin, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Gary C. Peters, Chris Van Hollen.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 362.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Homer L. Wilkes, of Mississippi, to be Under Secretary of Agriculture for Natural Resources and Environment.

## CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the nomination of Executive Calendar No. 362, Homer L. Wilkes, of Mississippi, to be Under Secretary of Agriculture for Natural Resources and Environment.

Charles E. Schumer, Richard Blumenthal, Catherine Cortez Masto, Richard J. Durbin, Sheldon Whitehouse, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Gary C. Peters, Chris Van Hollen.

Mr. SCHUMER. Madam President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, February 7, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## OPEN APP MARKET'S ACT

Mrs. BLACKBURN. Madam President, here in the United States, the mobile app market represents a reliable multibillion-dollar payday for Big Tech. In 2020, Americans downloaded 13.4 billion apps onto their mobile devices.

Needless to say, mobile apps are a key component of our digital economy, so it may be surprising to learn that this market is largely unregulated, unless you count the influence of the two mega corporations that created it.

Apple and Google have abused their power and used their status as gatekeepers to stifle innovation and penalize developers who want to work alongside them rather than ceding control over their products. This is bad for the industry. It is bad for consumers. It is bad for the country.

These gatekeeping tendencies aren't just a bump in the road for developers; they are a roadblock that completely closes off avenues of competition. Apple, for example, forces developers to use their exorbitantly expensive App Store payment system, which funnels profits away from the creators, and it raises prices for consumers. It is a take-it-or-leave-it arrangement. Of course, when developers do take the deal, they leave their relationship with

their customers behind because the terms prohibit them from dealing directly with the people who use their products. They also have to accept that Apple and Google will not only prioritize native applications, but they will take their competitors' confidential business information and use it against them.

Last week, the Senate Judiciary Committee passed my Open App Markets Act, which is a bill we have worked some very long hours on. Finally, we are addressing the stranglehold Big Tech has on the digital app market. I really do thank Senator BLUMENTHAL and his staff, as well as our cosponsors, Senators KLOBUCHAR, RUBIO, LUMMIS, BOOKER, GRAHAM, KENNEDY, HIRONO, HAWLEY, and Chairman DURBIN, for putting in so much time and effort to create this bipartisan piece of legislation.

This bill will reset the rules of the road to protect competition and consumers by allowing consumers to access third-party apps and app stores, by prohibiting app store owners from locking developers into in-app payment arrangements, by ensuring that app developers are allowed to offer competitive pricing, and by preventing app stores from misusing confidential business information or app store rankings to disadvantage developers. If app store gatekeepers violate these rules of the road, the bill allows for developer lawsuits. It also includes safeguards to allow app stores to protect the privacy, security, and safety of consumers, as well as their own intellectual property rights.

It is bipartisan, and it is a good, solid, strong first step. But, remember, our tradition of maintaining competitive marketplaces isn't the only thing at stake here.

This weekend, the opening ceremonies of the Olympic Games in Beijing drew in 16 million viewers. That is down from the last Winter Games in 2018, so hopefully, this means that the various campaigns exposing the crimes and manipulation of the Chinese Communist Party are making a difference.

But, still, those 16 million people and their families are taking in Chinese propaganda. The Games' corporate sponsors weren't worried about that; they were happy to take advantage of all those eyeballs. And we know NBC hopes to surpass the nearly \$2 billion in revenue they pulled in during the Tokyo Games.

Protecting that competitiveness is important, but I would argue that protecting the human rights of people those sponsors and broadcasters are happy to sweep under the rug is even more important. And right at this very moment, Big Tech is facilitating crimes against humanity in China.

Beijing is notorious for censoring speech critical of the communist government, but part of their grand strategy to silence dissent involves strong-arming corporations seeking access to the very lucrative Chinese market. It

is not enough to offer an exciting product; you have to play nice with the CCP or else you are out. You can't be in their market. That means staying quiet about genocide in Xinjiang or violent repression in Hong Kong and doing everything in your power to make sure your customers stay silent too.

The Open App Markets Act has received an outpouring of support from human rights activists who see firsthand how corporate gatekeeping actively endangers the lives of dissidents, activists, Uighur Muslims, Mongols, Tibetans, Hong Kong freedom fighters, and other innocent people the CCP has chosen to brutalize. We received a letter of support for the Open App Markets Act signed by many of these individuals that I would like to share. They wrote, in part:

China suppresses nearly all dissent using its notorious "Great Firewall" internet filtering system and through the cooperation of domestic and foreign companies that are willing to block and remove accounts, content, and applications at the unchallenged request of Chinese authorities.

Few American companies are as subservient to the Chinese government as Apple. Apple willingly censors dissenting voices and independent media for all in China and Hong Kong using its control over the App Store.

We received another letter from the human rights organization GreatFire that details specific examples of Apple doing the bidding of the Chinese Communist Party. They wrote in part:

GreatFire, an organization dedicated to fighting internet censorship, started monitoring Apple's censorship in November 2013, when Apple decided to remove our "Free Weibo" application from the Chinese App Store. Apple did not even wait for the intervention of any Chinese judicial authority to determine if our app had actually broken any Chinese law. It collaborated with the Chinese authorities and dealt with our app the same way it has continued to deal with many more apps: by enforcing arbitrary and politically motivated censorship to ensure its financial interest.

I ask unanimous consent to have these two letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 31, 2022.

Senator DICK DURBIN,  
*Chairman, Committee on the Judiciary,*  
*Washington, DC.*

Senator CHUCK GRASSLEY,  
*Ranking Member, Committee on the Judiciary,*  
*Washington, DC.*

DEAR CHAIR DURBIN, RANKING MEMBER GRASSLEY, AND MEMBERS OF THE SENATE JUDICIARY COMMITTEE: We write as Chinese human rights activists, pro-democracy movements, national security experts, and members of persecuted religious communities to share our deep concerns with Apple's use of its monopolistic dominance and its collusion with the Chinese government to stifle freedom of expression in China. As the Committee considers legislation to rein in the abuses of tech firms, we encourage it to help dissenting voices and efforts to offer privacy and security tools in China through protecting the right to sideload, as included in the Open App Markets Act.